

BK1001063
AJT

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
AT AKRON

IN RE:

LaLonnie M. Terry

Debtor

Case No. 08-53443

Chapter 13
Chief Judge Shea-Stonum

**AFFIDAVIT OF DEFAULT
(PROPERTY ADDRESS:
874 SOUTH JENKINS
BOULEVARD, AKRON, OH
44306)**

Now comes, Olivia Todd, being first duly sworn, deposes and says that she/he is President of U.S. Bank, N.A. fka Firststar Bank, N.A.; that in such job position she/he has custody and personal knowledge of the information in the accounts of said servicer, which information is compiled in the ordinary course of business, and that affiant is familiar specifically with the account of LaLonnie M. Terry, debtor herein, regarding property located at 874 South Jenkins Boulevard, Akron, OH 44306.

Further affiant states that said account is in default for a total post-petition arrearage of \$1,561.04, which consists of:

Post Petition Payments:

Amount	Date Due
772.06	June 1, 2010
772.06	July 1, 2010

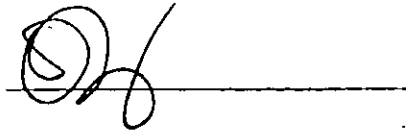
Post Petition Late Charges:

Amount	Date Due
30.88	June 16, 2010
30.88	July 16, 2010

less debtor's suspense balance of \$44.84, have not been made; that the debtor has failed to comply with the Agreed Order on Motion for Relief from Stay entered herein on May 6, 2009; and that U.S. Bank, N.A. fka Firststar Bank, N.A. has elected to terminate the automatic stay and call the entire balance of said account due and payable in accordance with the terms of the note and mortgage, and the said Agreed Order.

Affiant states that on August 4, 2010 a letter was sent to debtor and the debtor's counsel notifying them that the debtor has failed to comply with the terms of the Agreed Order. Debtor did not cure the default within the allotted 10 day period. A copy of said letter is attached hereto as Exhibit "A".

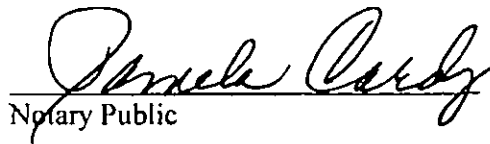
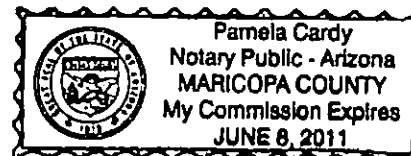
Affiant knows of her/his own knowledge that the averments set forth herein are true and correct.



Title: President

STATE OF ARIZONA)
)ss:
COUNTY OF MARICOPA)

Subscribed and sworn to (or affirmed) before me, a Notary Public, this 6th day of October 2010, by Olivia Todd or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.


Notary Public

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing Affidavit of Default of the secured creditor, U.S. Bank, N.A. fka Firststar Bank, N.A., was electronically transmitted on or about October 18, 2010 via the Court's CM/ECF system to the following who are listed on the Court's Electronic Mail Notice list:

Gregory J. Freeman, Esq.
3959 W. Bath Rd.
Akron, OH 44333
click2sue@roadrunner.com

Keith Rucinski
One Cascade Plaza
Suite 2020
Akron, OH 44308-1318
efilings@ch13akron.com

Office of the U.S. Trustee
Howard Metzenbaum, U.S. Courthouse
201 Superior Avenue
Cleveland, OH 44114
(Registered address)@usdoj.gov

The undersigned certifies that a copy of the foregoing Affidavit of Default of the secured creditor, U.S. Bank, N.A. fka Firststar Bank, N.A., was transmitted on or about October 18, 2010 via regular U.S. mail, postage pre-paid:

LaLonnie M. Terry
874 S Jenkins Blvd
Akron, OH 44306

/s/ Steven H. Patterson
Steven H. Patterson
OH Sup. Ct. Reg. No. 0073452
(513) 241-3100 ext. 3373

LERNER, SAMPSON & ROTHFUSS
Romi T. Fox, Attorney
Bar Registration No. 0037174
Attorneys for Movant
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